

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:)	
)	Chapter 7
CHERRY BROS., LLC.,)	Case No. 19-11644-amc
)	
Debtor.)	
_____)	
)	
Gary F. Seitz, as Chapter 7 Trustee of)	
the Estate of Cherry Bros., LLC.,)	
)	
Plaintiff,)	
v.)	Adv. Proc. No.: 20-00088-amc
)	
Nationwide Mutual Insurance, CO.,)	
)	
Defendant.)	
_____)	

STIPULATION REGARDING MEDIATION

Pursuant to the *Order Establishing Streamlined Procedures Governing Adversary Proceedings Brought by Plaintiff Pursuant to Sections 502, 547, 458, 549 and 550 of the Bankruptcy Code* (the “Procedures Order”), dated April 15, 2020, Gary F. Seitz, as Chapter 7 Trustee of the Estate of Cherry Bros., LLC (“Plaintiff”), through its counsel, and Nationwide Mutual Insurance Company, (“Defendant”), through its counsel, hereby stipulate as follows:

1. The parties have elected to proceed to mediation. Accordingly, formal discovery in this adversary proceeding is currently stayed pursuant to the terms of the Court’s ORDER ESTABLISHING STREAMLINED PROCEDURES GOVERNING ADVERSARY PROCEEDINGS BROUGHT BY PLAINTIFF PURSUANT TO SECTIONS 502, 547, 548, 549 AND 550 OF THE BANKRUPTCY CODE (Doc. No. 562, Case No. 19-11644) (the “Procedures Order”).

2. The parties agree to select a Mediator by July 17, 2020.

3. Mediation between the parties shall proceed in accordance with the Procedures Order and the deadlines set forth therein and shall be conducted in accordance with the Local Rules of the United States Bankruptcy Court for the Eastern District of Pennsylvania and/or otherwise as may be agreed by the parties and the Mediator.

4. The parties are free to withdraw their consent to mediation and proceed with discovery in the adversary proceeding at any time.

Dated: June 24, 2020

<p>GELLERT SCALI BUSENKELL & BROWN, LLC</p> <p><u>/s/ Holly S. Miller</u> Holly S. Miller, Esquire 8 Penn Center 16 28 John F. Kennedy Blvd., Suite1901 Philadelphia, PA 19103</p> <p><i>Attorney for Gary F. Seitz, as Chapter 7 Trustee for the Estate of Cherry Bros., LLC</i></p>	<p>ICE MILLER LLP</p> <p><u>/s/ John C. Cannizzaro</u> John C. Cannizzaro, Esq. Daniel M. Anderson, Esq. 250 West Street, Suite 700 Columbus, OH 43215</p> <p><i>Attorney for Defendant</i></p>
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IT IS SO ORDERED this ____ day of _____ 2020.

BY THE COURT:



Date: June 25, 2020

ASHELY M. CHAN
UNITED STATES BANKRUPTCY JUDGE